ESTTA Tracking number:

ESTTA570384 11/12/2013

Filing date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Bright Horizons Family Solutions LLC
Granted to Date of previous extension	11/10/2013
Address	200 Talcott Avenue South Watertown, MA 02472 UNITED STATES

Attorney	Aaron Y. Silverstein
information	Saunders & Silverstein LLP
	14 Cedar Street, Suite 224
	Amesbury, MA 01913-1831
	UNITED STATES
	trademarks@massiplaw.com,asilverstein@massiplaw.com
	Phone:+1.978.463.9130

Applicant Information

Application No	85461842	Publication date	05/14/2013
Opposition Filing Date	11/12/2013	Opposition Period Ends	11/10/2013
Applicant	AnalysisIQ Suite 705 Branchburg, NJ 08876 NJ		

Goods/Services Affected by Opposition

Class 041. First Use: 2003/09/17 First Use In Commerce: 2004/02/01

All goods and services in the class are opposed, namely: Conducting after school tutoring programs; Education services, namely, providing tutoring in the field of Reading, Writing, Science, Math, Study Skills, Standardized Test Preparation and Homework Support

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1495542	Application Date	10/30/1987
Registration Date	07/05/1988	Foreign Priority Date	NONE
Word Mark	BRIGHT HORIZONS		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1987/02/09 First Use In Commerce: 1987/02/09 CHILDCARE SERVICES

U.S. Registration No.	4343240	Application Date	09/12/2011
Registration Date	05/28/2013	Foreign Priority Date	NONE
Word Mark	BRIGHT HORIZONS	•	•
Design Mark	Bright	E t Hoi	rizons
Description of Mark	The mark consists of the word a sun appears above the word		DNS". A stylized illustration of
Goods/Services	Class 036. First use: First Use	e: 2011/04/13 First U	se In Commerce: 2011/04/13
		ctions; Payment and	s transfer; On-line clearingand financial services, namely, on- nents thereof

U.S. Registration No.	4400284	Application Date	09/12/2011
Registration Date	09/10/2013	Foreign Priority Date	NONE
Word Mark	BRIGHT HORIZONS		
Design Mark	Brigh	t Ho	rizons
Description of Mark	The mark consists of the wor a sun appears above the wo		DNS". A stylized illustration of
Goods/Services	Class 035. First use: First Us	e: 1998/07/24 First U	se In Commerce: 1998/07/24
	Business consultation service guidance, and assistance to education programs at the coadministrative support service	employers and emplo ollege level; Providing	byees in the field of continuing business consultation and

the fieldof tuition assistance programs; Business consultation and business management services, both in the field of managing business relationships between employers, employees, and higher education institutions; Referral services in the field of child care; Referral services in the field of adult care; Business administration services in the field of child care; Business administration services in the field of adult care; Business consultingand information services; Business consulting services in the fields of human resources, health care, and education

Class 041. First use: First Use: 1998/07/24 First Use In Commerce: 1998/07/24 Educational services, namely, providingearly childhood instruction and conducting seminars and workshops in the field of child care; Counseling, namely, offering advice regarding selection of and application to post-secondary education programs

Class 042. First use: First Use: 2011/04/13 First Use In Commerce: 2011/04/13 Software as a service, namely, on-line nondownloadable software for tuition assistance management, administration of tuition assistance programs, payroll settlement, taxation reconciliation, and tuition payment processing

Class 043. First use: First Use: 1998/07/24 First Use In Commerce: 1998/07/24 Child care services; Providing a web site featuring on-line reservation services for child care; Providing a web site featuring on-line reservation services for adult care; Consultation services in the field of child care; Consultation services in the field of adult care

Class 045. First use: First Use: 2006/03/01 First Use In Commerce: 2006/03/01 In-home adult care services, namely, providing senior persons assistance with personal affairs and personal care in thenature of activities of daily living such as bathing, grooming, and personal mobility

U.S. Registration No.	2283209	Application Date	08/18/1998
Registration Date	10/05/1999	Foreign Priority Date	NONE
Word Mark	BRIGHT HORIZONS FAMILY	SOLUTIONS	
Design Mark			
	BRIGHT HORIZONS FAMILY SOLUTIONS		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use	e: 1998/07/24 First U	se In Commerce: 1998/07/24
	educational services, namely, providingearly education and conducting seminarsand workshops in the field of childcare		
	Class 042. First use: First Use: 1998/07/24 First Use In Commerce: 1998/07/24		se In Commerce: 1998/07/24
	Providing child care services		

U.S. Registration No.	2308821	Application Date	08/18/1998
Registration Date	01/18/2000	Foreign Priority Date	NONE
Word Mark	BRIGHT HORIZONS FAMILY SOLUTIONS		

Design Mark	Bright Horizons
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 1998/07/24 First Use In Commerce: 1998/07/24 EDUCATIONAL SERVICES, NAMELY, CONDUCTING SEMINARS AND WORKSHOPS IN THE FIELD OFCHILD CARE Class 042. First use: First Use: 1998/07/24 First Use In Commerce: 1998/07/24 Providing childcare services

Attachments	85419897#TMSN.jpeg(bytes) 85976484#TMSN.jpeg(bytes) 75538742#TMSN.gif(bytes) 75538649#TMSN.gif(bytes)
	20131112 bhfs bright future notice of opposition.pdf(5153188 bytes)

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/asilverstein/
Name	Aaron Y. Silverstein
Date	11/12/2013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

BRIGHT HORIZONS FAMILY SOLUTIONS LLC,	Opposition No
Opposer,	Serial No.: 85461842
v. ANALYSISIQ,	Mark: BRIGHT FUTURE LEARNING CENTER
Applicant.	Filing Date: November 1, 2011

NOTICE OF OPPOSITION

Opposer Bright Horizons Family Solutions LLC ("Bright Horizons"), a Delaware limited liability company with a principal place of business at 200 Talcott Avenue South, Watertown, Massachusetts 02472, believes that it will be damaged by the registration of the mark BRIGHT FUTURE LEARNING CENTER, which is the subject of Application Serial No. 85461842 (the "Application"), filed by AnalysisIQ ("Applicant").

As grounds for its opposition, Bright Horizons alleges the following, upon actual knowledge with respect to itself and its own acts, and upon information and belief as to other matters:

- 1. On November 1, 2011, Applicant filed the subject Application to register the mark BRIGHT FUTURE LEARING CENTER (the "Bright Future mark") for:
 - <u>Class 41</u>: Conducting after school tutoring programs; Education services, namely, providing tutoring in the field of Reading, Writing, Science, Math, Study Skills, Standardized Test Preparation and Homework Support
- 2. Applicant, in the Application, has alleged a date of first use of September 17, 2003 and a date of first use in commerce of February 1, 2004.

- 3. Long prior to the filing date of the Application, Applicant's alleged date of first use, and any date of first use Applicant can claim, Opposer adopted the marks BRIGHT HORIZONS and BRIGHT HORIZONS FAMILY SOLUTIONS, and Opposer has since used such marks in interstate commerce continuously and extensively in connection with services which are similar, and in some instances identical, to the services recited in the Application.
- 4. Through extensive advertising, promotion, and use of its BRIGHT HORIZONS and BRIGHT HORIZONS FAMILY SOLUTIONS marks Opposer has built a strong reputation for high quality services offered thereunder.
- 5. Opposer's BRIGHT HORIZONS and BRIGHT HORIZONS FAMILY SOLUTIONS marks have, long prior to filing date of the Application, Applicant's alleged dates of first use, and any date of first use Applicant can claim, come to be distinctive and to uniquely identify Opposer and its services.
 - 6. Opposer is the owner of the following U.S. trademark registrations:

Reg. No.	Mark	Filing Date	Reg. Date
1495542	BRIGHT HORIZONS	Oct. 30, 1987	July 5, 1988
4343240	BRIGHT HORIZONS (& design)	Sept. 12, 2011	May 28, 2013
4400284	BRIGHT HORIZONS (& design)	Sept. 12, 2011	Sept. 10, 2013
2283209	BRIGHT HORIZONS FAMILY SOLUTIONS	Oct. 5, 1999	Aug. 18, 1998
2308821	BRIGHT HORIZONS FAMILY SOLUTIONS (& design)	Aug. 18, 1998	Jan. 18, 2000

Copies of the current status and title of Opposer's above-referenced trademark registrations are attached as Exhibit A.

7. The Bright Future mark of Application Ser. No. 85461842 so resembles Opposer's prior used and registered BRIGHT HORIZONS and BRIGHT HORIZONS FAMILY

SOLUTIONS marks, as to be likely, when used in connection to Applicant's services, to cause

confusion, to cause mistake, or to deceive under Section 2(d) of the Lanham Act, as amended, 15

U.S.C. § 1052(d).

8. Opposer's customers and potential customers are likely to believe that Applicant's

services offered under the Bright Future mark emanate from, or are licensed or approved by,

Opposer, when that is not the case. Such confusion would be a source of damage to Opposer.

9. If Applicant is granted the registration herein opposed, it would thereby obtain a

prima facie right to exclusive use of the BRIGHT FUTURE LEARNING CENTER mark, which

would be a further source of damage to Opposer.

WHEREFORE, Opposer believes that it will be damaged by registration of the mark shown

in Application Serial No. 85461842, and prays that this Opposition be sustained, that Application

Serial No. 85461842 be rejected, and that the mark applied for therein be refused registration.

Respectfully submitted,

Dated: November 12, 2013

By: /s/ Aaron Y. Silverstein

Aaron Y. Silverstein

Saunders & Silverstein LLP

14 Cedar Street, Suite 224

Amesbury, MA 01913

Tel.: (978) 463-9130

Email: asilverstein@massiplaw.com

Attorneys for Opposer

BRIGHT HORIZONS

FAMILY SOLUTIONS LLC

3

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2013, a true and complete copy of the foregoing Notice of Opposition, along with all exhibits thereto, has been served on the Applicant's Attorney of Record, via first class mail, postage pre-paid to:

Kattina V. Barsik, Esq. 55 Madison Avenue, Suite 400 Morristown, New Jersey 07960 United States

> /s/ Margaret Sutherland Margaret Sutherland

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via ESTTA on the date shown below to the United States Patent and Trademark Office.

/s/ Aaron Y. Silverstein Aaron Y. Silverstein

Dated: November 12, 2013

EXHIBIT A

Generated on: This page was generated by TSDR on 2013-11-12 14:30:07 EST

Mark: BRIGHT HORIZONS

US Serial Number: 73692782 Application Filing Date: Oct. 30, 1987
US Registration Number: 1495542 Registration Date: Jul. 05, 1988

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Jul. 06, 2008

Publication Date: Apr. 12, 1988

Mark Information

Mark Literal Elements: BRIGHT HORIZONS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

• Brackets [..] indicate deleted goods/services;

Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of

• Asterisks *..* identify additional (new) wording in the goods/services.

For: CHILDCARE SERVICES

International Class(es): 042 - Primary Class U.S Class(es): 100

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 09, 1987 **Use in Commerce:** Feb. 09, 1987

Basis Information (Case Level)

 Filed Use:
 Yes
 Currently Use:
 Yes
 Amended Use:
 No

 Filed ITU:
 No
 Currently ITU:
 No
 Amended ITU:
 No

 Filed 44D:
 No
 Currently 44D:
 No
 Amended 44D:
 No

 Filed 44E:
 No
 Currently 44E:
 No
 Amended 44E:
 No

Filed 66A: No Currently 66A: No Filed No Basis: No Currently No Basis: No

Current Owner(s) Information

Owner Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC

Owner Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02472 UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aaron Silverstein

Attorney Primary Email trademarks@massiplaw.com Attorney Email Yes

Address: Authorized:

Correspondent

Correspondent Aaron Silverstein

Name/Address: Saunders & Silverstein LLP

14 Cedar Street, Suite 224

Amesbury, MASSACHUSETTS 01913-1831

UNITED STATES

Phone: 978-463-9100 Fax: 978-463-9109

Correspondent e-mail: trademarks@massiplaw.com Correspondent e-mail Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 06, 2013	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 01, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 08, 2008	CASE FILE IN TICRS	
Jul. 06, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
Jul. 06, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 02, 2008	ASSIGNED TO PARALEGAL	68335
Jun. 23, 2008	TEAS SECTION 8 & 9 RECEIVED	
Jun. 18, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 18, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 11, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 28, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 10, 1994	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 13, 1993	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 05, 1988	REGISTERED-PRINCIPAL REGISTER	
Apr. 12, 1988	PUBLISHED FOR OPPOSITION	
Mar. 12, 1988	NOTICE OF PUBLICATION	
Feb. 03, 1988	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 27, 1988	ASSIGNED TO EXAMINER	65998

Maintenance Filings or Post Registration Information

Affidavit of Continued Section 8 - Accepted

Affidavit of Section 15 - Accepted

Incontestability:

Renewal Date: Jul. 05, 2008

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND Date in Location: Jul. 08, 2008

Assignment Abstract Of Title Information

Summary

Registrant: BRIGHT HORIZONS CHILDREN'S CENTERS, **Total Assignments:** 5

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: <u>3267/0385</u> Pages: 2

Date Recorded: Dec. 08, 2005

Supporting Documents: assignment-tm-3267-0385.pdf

Assignor

Name: BRIGHT HORIZONS CHILDREN'S CENTERS,

INC.

Execution Date: Dec. 08, 2005

Legal Entity Type: CORPORATION

State or Country Where DELAWARE

Organized:

Assignee

Name: BRIGHT HORIZONS LIMITED PARTNERSHIP

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where MASSACHUSETTS

Organized:

Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02472

Correspondent

Correspondent Name: ANTONETTE FERNANDEZ

Correspondent Address: SENIOR COUNSEL

BRIGHT HORIZONS FAMILY SOLUTIONS 200 TALCOTT AVENUE, SOUTH WATERTOWN, MA 02472

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3788/0769 Pages: 7

Date Recorded: Jun. 04, 2008

Supporting Documents: assignment-tm-3788-0769.pdf

Assignor

 Name:
 BRIGHT HORIZONS LIMITED PARTNERSHIP
 Execution Date:
 May 28, 2008

 Legal Entity Type:
 LIMITED PARTNERSHIP
 State or Country Where
 MASSACHUSETTS

Organized:

Assignee

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02471-9177

Correspondent

Correspondent Name: MADELYN D. ZEYLIKMAN C/O ROPES & GRAY

Correspondent Address: ONE INTERNATIONAL PLACE

BOSTON, MA 02110

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: <u>3791/0669</u> Pages: 8

Date Recorded: Jun. 06, 2008

Supporting Documents: assignment-tm-3791-0669.pdf

Assignor

Name: BRIGHT HORIZONS FAMILY SOLUTIONS, LLC Execution Date: May 28, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: GENERAL ELECTRIC CAPITAL CORPORATION

Legal Entity Type: CORPORATION State or Country Where No Place Where Organized Found

Organized:

Address: 500 WEST MONROE STREET

CHICAGO, ILLINOIS 60661

Correspondent

Correspondent Name: WEIL, GOTSHAL MANGES C/O PHILIP RATNER

Correspondent Address: 767 5TH AVENUE

NEW YORK, NEW YORK 10153

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: <u>4952/0525</u> Pages: 8

Date Recorded: Jan. 30, 2013

Supporting Documents: assignment-tm-4952-0525.pdf

Assignor

Name: GENERAL ELECTRIC CAPITAL CORPORATION Execution Date: Jan. 30, 2013

Legal Entity Type: CORPORATION State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC

Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where DELAWARE

Organized:

Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02471-9177

Correspondent

Correspondent Name: TRACY COOGAN PLANTS

Correspondent Address: PRUDENTIAL TOWER, 800 BOYLSTON STREET

ROPES & GRAY LLP BOSTON, MA 02199-3600

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: 4953/0134 Pages: 9

Date Recorded: Jan. 31, 2013

Supporting Documents: assignment-tm-4953-0134.pdf

Assignor

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC Execution Date: Jan. 30, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: GOLDMAN SACHS BANK USA

Legal Entity Type: BANK State or Country Where NEW YORK

Organized:

Address: 200 WEST STREET

NEW YORK, NEW YORK 10282

Correspondent

 $\textbf{Correspondent Name:} \ \ \mathsf{VINDRA} \ \mathsf{RICHTER} \ \mathsf{C/O} \ \mathsf{WEIL} \ \mathsf{ET} \ \mathsf{AL}$

Correspondent Address: 767 FIFTH AVE

NEW YORK, NY 10153

Domestic Representative - Not Found

Int. Cl.: 42

Prior U.S. Cl.: 100

United States Patent and Trademark Office Reg. No. 1,495,542 Registered July 5, 1988

SERVICE MARK PRINCIPAL REGISTER

BRIGHT HORIZONS

BRIGHT HORIZONS CHILDREN'S CENTERS, INC. (DELAWARE CORPORATION) BUILDING 600 ONE KENDALL SQUARE CAMBRIDGE, MA 02139

FIRST USE 2-9-1987; IN COMMERCE 2-9-1987.

SER. NO. 692,782, FILED 10-30-1987.

FOR: CHILDCARE SERVICES, IN CLASS 42 (U.S. CL. 100).

CATHERINE PLAMBECK, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2013-11-12 14:23:17 EST

Mark: BRIGHT HORIZONS



US Serial Number: 85419897 Application Filing Date: Sep. 12, 2011 US Registration Number: 4343240 Registration Date: May 28, 2013

> Register: Principal Mark Type: Service Mark

> > Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 28, 2013

Publication Date: May 01, 2012 Notice of Allowance Date: Jun. 26, 2012

Mark Information

Mark Literal Elements: BRIGHT HORIZONS

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the words "BRIGHT HORIZONS". A stylized illustration of a sun appears above the word "BRIGHT".

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 01.05.01 - Sunrise; Sun, rising or setting (partially exposed or partially obstructed)

Related Properties Information

Claimed Ownership of US 1495542, 2283209, 2308821, 85976484 and others

Registrations:

Parent Of: 85976484

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [..] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
 Asterisks *..* identify additional (new) wording in the goods/services.

For: Financial services, namely, on-line electronic funds transfer; On-line clearing and reconciling of financial transactions; Payment and

financial services, namely, on-line processing and transmission of bills and payments thereof

International Class(es): 036 - Primary Class U.S Class(es): 100, 101, 102

Class Status: ACTIVE Basis: 1(a)

Use in Commerce: Apr. 13, 2011 First Use: Apr. 13, 2011

Basis Information (Case Level)

Filed Use: Yes Currently Use: Yes Amended Use: No Filed ITU: No Currently ITU: No Amended ITU: Yes Filed 44D: No Currently 44D: No Amended 44D: No Filed 44E: No Currently 44E: No Amended 44E: No

Currently 66A: No Filed 66A: No Filed No Basis: No Currently No Basis: No

Current Owner(s) Information

Owner Name: Bright Horizons Family Solutions LLC

Owner Address: 200 Talcott Avenue South

Watertown, MASSACHUSETTS 02472

UNITED STATES

State or Country Where DELAWARE Legal Entity Type: LIMITED LIABILITY COMPANY

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aaron Y. Silverstein Docket Number: 106.407/AYS

Attorney Primary Email <u>trademarks@massiplaw.com</u> Attorney Email No Address: Authorized:

Correspondent

Correspondent AARON Y. SILVERSTEIN Name/Address: SAUNDERS & SILVERSTEIN LLP

14 CEDAR ST STE 224

AMESBURY, MASSACHUSETTS 01913-1831

UNITED STATES

Phone: 978-463-9100 Fax: 978-463-9109

Correspondent e-mail: trademarks@massiplaw.com Correspondent e-mail Yes

Authorized:

Domestic Representative - Not Found

Prosecution History

	· ·	
Date	Description	Proceeding Number
May 28, 2013	REGISTERED-PRINCIPAL REGISTER	
Apr. 26, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 25, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Apr. 24, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 23, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	70884
Apr. 23, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Apr. 15, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 06, 2013	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 04, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Feb. 04, 2013	NON-FINAL ACTION E-MAILED	
Feb. 04, 2013	SU - NON-FINAL ACTION - WRITTEN	76502
Jan. 10, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 09, 2013	STATEMENT OF USE PROCESSING COMPLETE	61813
Dec. 10, 2012	USE AMENDMENT FILED	61813
Jan. 09, 2013	EXTENSION 1 GRANTED	61813
Dec. 10, 2012	EXTENSION 1 FILED	61813
Dec. 10, 2012	TEAS EXTENSION RECEIVED	
Dec. 10, 2012	TEAS STATEMENT OF USE RECEIVED	
Jun. 26, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 01, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 01, 2012	PUBLISHED FOR OPPOSITION	
Apr. 11, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 28, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Mar. 26, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 26, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	70884
Mar. 26, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Mar. 22, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 20, 2012	DIVISIONAL PROCESSING COMPLETE	
Feb. 11, 2012	DIVISIONAL REQUEST RECEIVED	
Mar. 15, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Mar. 05, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	70884
Mar. 05, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Mar. 01, 2012	ASSIGNED TO LIE	70884

Sep. 15, 2011	NEW APPLICATION ENTERED IN TRAM	
Sep. 15, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 16, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 30, 2011	ASSIGNED TO EXAMINER	76502
Dec. 05, 2011	NON-FINAL ACTION WRITTEN	76502
Dec. 05, 2011	NON-FINAL ACTION E-MAILED	6325
Dec. 05, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 11, 2012	TEAS REQUEST TO DIVIDE RECEIVED	
Feb. 11, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION Date in Location: Apr. 25, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 2 Registrant: Bright Horizons Family Solutions LLC

Assignment 1 of 2

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: 4952/0525 Pages: 8

Date Recorded: Jan. 30, 2013

Supporting Documents: assignment-tm-4952-0525.pdf

Assignor

Name: GENERAL ELECTRIC CAPITAL CORPORATION Execution Date: Jan. 30, 2013

Legal Entity Type: CORPORATION State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02471-9177

Correspondent

Correspondent Name: TRACY COOGAN PLANTS

Correspondent Address: PRUDENTIAL TOWER, 800 BOYLSTON STREET

ROPES & GRAY LLP BOSTON, MA 02199-3600

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: <u>4953/0134</u> Pages: 9

Date Recorded: Jan. 31, 2013

Supporting Documents: assignment-tm-4953-0134.pdf

Assignor

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC Execution Date: Jan. 30, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: GOLDMAN SACHS BANK USA

Legal Entity Type: BANK State or Country Where NEW YORK

Organized:

Address: 200 WEST STREET

NEW YORK, NEW YORK 10282

Correspondent

Correspondent Name: VINDRA RICHTER C/O WEIL ET AL

Correspondent Address: 767 FIFTH AVE

Domestic Representative - Not Found

Anited States of America United States Patent and Trademark Office



Reg. No. 4,343,240

BRIGHT HORIZONS FAMILY SOLUTIONS LLC (DELAWARE LIMITED LIABILITY

COMPANY)

Registered May 28, 2013 200 TALCOTT AVENUE SOUTH

Int. Cl.: 36

WATERTOWN, MA 02472

SERVICE MARK

FOR: FINANCIAL SERVICES, NAMELY, ON-LINE ELECTRONIC FUNDS TRANSFER; ON-LINE CLEARING AND RECONCILING OF FINANCIAL TRANSACTIONS; PAYMENT AND FINANCIAL SERVICES, NAMELY, ON-LINE PROCESSING AND TRANSMISSION OF BILLS

AND PAYMENTS THEREOF, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

PRINCIPAL REGISTER

FIRST USE 4-13-2011; IN COMMERCE 4-13-2011.

OWNER OF U.S. REG. NOS. 1,495,542, 2,308,821, AND OTHERS.

THE MARK CONSISTS OF THE WORDS "BRIGHT HORIZONS". A STYLIZED ILLUSTRA-

TION OF A SUN APPEARS ABOVE THE WORD "BRIGHT".

SN 85-419,897, FILED 9-12-2011.

KEVON CHISOLM, EXAMINING ATTORNEY



REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years* What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* **See** 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

STATUS DOCUMENTS Back to Search Print

Generated on: This page was generated by TSDR on 2013-11-12 07:48:28 EST

Mark: BRIGHT HORIZONS



US Serial Number: 85976484 Application Filing Date: Sep. 12, 2011

US Registration Number: 4400284 Registration Date: Sep. 10, 2013

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 10, 2013

Publication Date: Jun. 25, 2013

Mark Information

Mark Literal Elements: BRIGHT HORIZONS

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the words "BRIGHT HORIZONS". A stylized illustration of a sun appears above the word "BRIGHT".

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 01.05.01 - Sunrise; Sun, rising or setting (partially exposed or partially obstructed)

Related Properties Information

Claimed Ownership of US 1495542, 2283209, 2308821, 85419897 and others

Registrations:

Child Of: 85419897

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [..] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Business consultation services, namely, providing business consultation, guidance, and assistance to employers and employees in the field of continuing education programs at the college level; Providing business consultation and administrative support services in the nature of business administration, all in the field of tuition assistance programs; Business consultation and business management services, both in the field of managing business relationships between employers, employees, and higher education institutions; Referral services in the field of child care; Business administration services in the field of child care; Business administration services; Business consulting services in the fields of human resources, health care, and education

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 24, 1998

Use in Commerce: Jul. 24, 1998

For: Educational services, namely, providing early childhood instruction and conducting seminars and workshops in the field of child care;

Counseling, namely, offering advice regarding selection of and application to post-secondary education programs

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 24, 1998

Use in Commerce: Jul. 24, 1998

For: Software as a service, namely, on-line nondownloadable software for tuition assistance management, administration of tuition assistance

programs, payroll settlement, taxation reconciliation, and tuition payment processing

International Class(es): 042 - Primary Class U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 13, 2011 **Use in Commerce:** Apr. 13, 2011

For: Child care services; Providing a web site featuring on-line reservation services for child care; Providing a web site featuring on-line reservation services for adult care; Consultation services in the field of child care; Consultation services in the field of adult care International Class(es): 043 - Primary Class **U.S Class(es):** 100, 101 Class Status: ACTIVE Basis: 1(a) **First Use:** Jul. 24, 1998 Use in Commerce: Jul. 24, 1998 For: In-home adult care services, namely, providing senior persons assistance with personal affairs and personal care in the nature of activities of daily living such as bathing, grooming, and personal mobility International Class(es): 045 - Primary Class **U.S Class(es):** 100, 101 Class Status: ACTIVE **Basis:** 1(a) First Use: Mar. 01, 2006 Use in Commerce: Mar. 01, 2006 **Basis Information (Case Level)** Filed Use: Yes Currently Use: Yes Amended Use: No Filed ITU: No Currently ITU: No Amended ITU: No Filed 44D: No Currently 44D: No Amended 44D: No Filed 44E: No Currently 44E: No Amended 44E: No Filed 66A: No Currently 66A: No Filed No Basis: No Currently No Basis: No **Current Owner(s) Information**

Owner Name: Bright Horizons Family Solutions LLC

Owner Address: 200 Talcott Avenue South

Watertown, MASSACHUSETTS 02472

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aaron Y. Silverstein Docket Number: 106.407/AYS

Attorney Primary Email trademarks@massiplaw.com Attorney Email Authorized: Yes

Address:

Correspondent

Correspondent AARON Y SILVERSTEIN

Name/Address: SAUNDERS & SILVERSTEIN LLP

14 CEDAR STREET SUITE 224

AMESBURY, MASSACHUSETTS 01913-1831

UNITED STATES

Phone: 978-463-9100 **Fax:** 978-463-9109

Correspondent e-mail: <u>trademarks@massiplaw.com</u> Correspondent e-mail Yes

Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 10, 2013	EXPARTE APPEAL TERMINATED	976484
Sep. 10, 2013	REGISTERED-PRINCIPAL REGISTER	
Jun. 25, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 25, 2013	PUBLISHED FOR OPPOSITION	
Jun. 05, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 20, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
May 17, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 06, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	70884

May 06, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Apr. 29, 2013	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Apr. 29, 2013	EX PARTE APPEAL-INSTITUTED	976484
Apr. 29, 2013	JURISDICTION RESTORED TO EXAMINING ATTORNEY	976484
Apr. 29, 2013	EXPARTE APPEAL RECEIVED AT TTAB	
Feb. 06, 2013	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 31, 2012	NOTIFICATION OF FINAL REFUSAL EMAILED	
Oct. 31, 2012	FINAL REFUSAL E-MAILED	
Oct. 31, 2012	FINAL REFUSAL WRITTEN	76502
Oct. 15, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 15, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 15, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 16, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 16, 2012	NON-FINAL ACTION E-MAILED	6325
Apr. 16, 2012	NON-FINAL ACTION WRITTEN	76502
Apr. 16, 2012	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Apr. 10, 2012	WITHDRAWN FROM PUB - OG REVIEW QUERY	76621
Mar. 23, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Mar. 21, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 21, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Mar. 20, 2012	DIVISIONAL PROCESSING COMPLETE	
Feb. 11, 2012	DIVISIONAL REQUEST RECEIVED	
Mar. 15, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Mar. 05, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	70884
Mar. 05, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Mar. 01, 2012	ASSIGNED TO LIE	70884
Feb. 11, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 11, 2012	TEAS REQUEST TO DIVIDE RECEIVED	

Dec. 05, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 05, 2011	NON-FINAL ACTION E-MAILED	6325
Dec. 05, 2011	NON-FINAL ACTION WRITTEN	76502
Nov. 30, 2011	ASSIGNED TO EXAMINER	76502
Sep. 16, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Sep. 15, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 15, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION Date in Location: Sep. 10, 2013

Assignment Abstract Of Title Information - Click to Load

Proceedings - Click to Load

United States Patent and Trademark Office





Assignments on the Web > <u>Trademark Query</u>

Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: 85976484 **Filing Dt:** 09/12/2011 **Reg #:** 4400284 **Reg. Dt:** 09/10/2013

Registrant: Bright Horizons Family Solutions LLC

Mark: BRIGHT HORIZONS

Assignment: 1

Conveyance: RELEASE BY SECURED PARTY

Assignor: GENERAL ELECTRIC CAPITAL CORPORATION **Exec Dt:** 01/30/2013

Entity Type: CORPORATION

Citizenship: DELAWARE

Citizenship: NONE

Assignee: BRIGHT HORIZONS FAMILY SOLUTIONS LLC 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02471-9177

Correspondent: TRACY COOGAN PLANTS

PRUDENTIAL TOWER, 800 BOYLSTON STREET

ROPES & GRAY LLP BOSTON, MA 02199-3600

Assignment: 2

Conveyance: TRADEMARK SECURITY AGREEMENT

Assignor: BRIGHT HORIZONS FAMILY SOLUTIONS LLC Exec Dt: 01/30/2013

Entity Type: LIMITED LIABILITY COMPANY

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: NONE
Entity Type: BANK

Assignee: GOLDMAN SACHS BANK USA
200 WEST STREET
Entity Type: BANK
Citizenship: NEW YORK

NEW YORK, NEW YORK 10282

Correspondent: VINDRA RICHTER C/O WEIL ET AL

767 FIFTH AVE

NEW YORK, NY 10153

Search Results as of: 11/12/2013 02:21 PM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.3.4 Web interface last modified: Jul 8, 2013 v.2.3.4

| .HOME | INDEX | SEARCH | eBUSINESS | CONTACT US | PRIVACY STATEMENT

Anited States of America United States Patent and Trademark Office



Reg. No. 4,400,284

Registered Sep. 10, 2013 200 TALCOTT AVENUE SOUTH

Int. Cls.: 35, 41, 42, 43 and 45

SERVICE MARK

PRINCIPAL REGISTER

BRIGHT HORIZONS FAMILY SOLUTIONS LLC (DELAWARE LIMITED LIABILITY COMPANY)

WATERTOWN, MA 02472

FOR: BUSINESS CONSULTATION SERVICES, NAMELY, PROVIDING BUSINESS CON-SULTATION, GUIDANCE, AND ASSISTANCE TO EMPLOYERS AND EMPLOYEES IN THE FIELD OF CONTINUING EDUCATION PROGRAMS AT THE COLLEGE LEVEL; PROVIDING BUSINESS CONSULTATION AND ADMINISTRATIVE SUPPORT SERVICES IN THE NATURE OF BUSINESS ADMINISTRATION, ALL IN THE FIELD OF TUITION ASSISTANCE PROGRAMS; BUSINESS CONSULTATION AND BUSINESS MANAGEMENT SERVICES, BOTH IN THE FIELD OF MANAGING BUSINESS RELATIONSHIPS BETWEEN EMPLOYERS, EMPLOYEES, AND HIGHER EDUCATION INSTITUTIONS: REFERRAL SERVICES IN THE FIELD OF CHILD CARE; REFERRAL SERVICES IN THE FIELD OF ADULT CARE; BUSINESS ADMINISTRATION SERVICES IN THE FIELD OF CHILD CARE; BUSINESS ADMINISTRA-TION SERVICES IN THE FIELD OF ADULT CARE; BUSINESS CONSULTING AND INFORM-ATION SERVICES; BUSINESS CONSULTING SERVICES IN THE FIELDS OF HUMAN RE-SOURCES, HEALTH CARE, AND EDUCATION, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-24-1998; IN COMMERCE 7-24-1998.

FOR: EDUCATIONAL SERVICES, NAMELY, PROVIDING EARLY CHILDHOOD INSTRUC-TION AND CONDUCTING SEMINARS AND WORKSHOPS IN THE FIELD OF CHILD CARE: COUNSELING, NAMELY, OFFERING ADVICE REGARDING SELECTION OF AND APPLIC-ATION TO POST-SECONDARY EDUCATION PROGRAMS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-24-1998; IN COMMERCE 7-24-1998.

FOR: SOFTWARE AS A SERVICE, NAMELY, ON-LINE NONDOWNLOADABLE SOFTWARE FOR TUITION ASSISTANCE MANAGEMENT, ADMINISTRATION OF TUITION ASSIST-ANCE PROGRAMS, PAYROLL SETTLEMENT, TAXATION RECONCILIATION, AND TU-ITION PAYMENT PROCESSING, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 4-13-2011; IN COMMERCE 4-13-2011.



 $Reg.\ N_0.\ 4,400,\!284\ \ \text{for: Child care services; providing a web site featuring on-line reservices}$ VATION SERVICES FOR CHILD CARE; PROVIDING A WEB SITE FEATURING ON-LINE RESERVATION SERVICES FOR ADULT CARE; CONSULTATION SERVICES IN THE FIELD OF CHILD CARE; CONSULTATION SERVICES IN THE FIELD OF ADULT CARE, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 7-24-1998; IN COMMERCE 7-24-1998.

FOR: IN-HOME ADULT CARE SERVICES, NAMELY, PROVIDING SENIOR PERSONS AS-SISTANCE WITH PERSONAL AFFAIRS AND PERSONAL CARE IN THE NATURE OF ACTIVITIES OF DAILY LIVING SUCH AS BATHING, GROOMING, AND PERSONAL MO-BILITY, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 3-1-2006; IN COMMERCE 3-1-2006.

OWNER OF U.S. REG. NOS. 1,495,542, 2,308,821 AND OTHERS.

THE MARK CONSISTS OF THE WORDS "BRIGHT HORIZONS". A STYLIZED ILLUSTRA-TION OF A SUN APPEARS ABOVE THE WORD "BRIGHT".

SER. NO. 85-976,484, FILED 9-12-2011.

KEVON CHISOLM, EXAMINING ATTORNEY

Page: 2 / RN # 4,400,284

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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Requirements in the First Ten Years* What and When to File:

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Mark: BRIGHT HORIZONS FAMILY SOLUTIONS

BRIGHT HORIZONS FAMILY SOLUTIONS

US Serial Number: 75538742 Application Filing Date: Aug. 18, 1998 US Registration Number: 2283209 Registration Date: Oct. 05, 1999

> Register: Principal Mark Type: Service Mark

> > Status: The registration has been renewed.

Status Date: Nov. 08, 2008 Publication Date: Jul. 13, 1999

Mark Information

Mark Literal Elements: BRIGHT HORIZONS FAMILY SOLUTIONS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "FAMILY"

Related Properties Information

Claimed Ownership of US 1495542

Registrations:

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

• Brackets [..] indicate deleted goods/services;

Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
 Asterisks *..* identify additional (new) wording in the goods/services.

For: educational services, namely, providing early education and conducting seminars and workshops in the field of childcare

International Class(es): 041 - Primary Class U.S Class(es): 100, 101, 107

Class Status: ACTIVE Basis: 1(a)

> First Use: Jul. 24, 1998 Use in Commerce: Jul. 24, 1998

For: Providing child care services

International Class(es): 042 - Primary Class U.S Class(es): 100, 101

Class Status: ACTIVE Basis: 1(a)

> Use in Commerce: Jul. 24, 1998 First Use: Jul. 24, 1998

Basis Information (Case Level)

Filed Use: Yes Currently Use: Yes Amended Use: No Filed ITU: No Currently ITU: No Amended ITU: No Filed 44D: No Currently 44D: No Amended 44D: No Currently 44E: No Filed 44E: No Amended 44E: No

Filed 66A: No Currently 66A: No Filed No Basis: No Currently No Basis: No

Current Owner(s) Information

Owner Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC

Owner Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02472

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where DELAWARE

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aaron Silverstein

Attorney Primary Email trademarks@massiplaw.com
Address:
Address:
Authorized:

Correspondent

Correspondent Aaron Silverstein

Name/Address: Saunders & Silverstein LLP 14 Cedar Street, Suite 224

Amesbury, MASSACHUSETTS 01913-1831

UNITED STATES

Phone: 978-463-9100 **Fax:** 978-463-9109

Correspondent e-mail: trademarks@massiplaw.com

Correspondent e-mail Yes

Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 06, 2013	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 08, 2008	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Nov. 08, 2008	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 08, 2008	ASSIGNED TO PARALEGAL	69471
Oct. 29, 2008	TEAS SECTION 8 & 9 RECEIVED	
Aug. 01, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 18, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 18, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 11, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 07, 2006	CASE FILE IN TICRS	
Jul. 25, 2005	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jan. 06, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 25, 2005	ASSIGNED TO PARALEGAL	66607
Jan. 06, 2005	TEAS SECTION 8 & 15 RECEIVED	
Aug. 28, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 05, 1999	REGISTERED-PRINCIPAL REGISTER	
Jul. 13, 1999	PUBLISHED FOR OPPOSITION	
Jun. 11, 1999	NOTICE OF PUBLICATION	
Apr. 01, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 22, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 13, 1999	NON-FINAL ACTION MAILED	
Jan. 05, 1999	ASSIGNED TO EXAMINER	69807
Dec. 29, 1998	ASSIGNED TO EXAMINER	74307

Maintenance Filings or Post Registration Information

Affidavit of Continued Section 8 - Accepted

Use:

Affidavit of Section 15 - Accepted

Incontestability:

Renewal Date: Oct. 05, 2009

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: POST REGISTRATION Date in Location: Nov. 08, 2008

Assignment Abstract Of Title Information

Summary

Total Assignments: 5 Registrant: Bright Horizons Children's Centers, Inc.

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3267/0385 Pages: 2

Date Recorded: Dec. 08, 2005

Supporting Documents: assignment-tm-3267-0385.pdf

Assignor

Name: BRIGHT HORIZONS CHILDREN'S CENTERS,

<u>INC.</u>

Legal Entity Type: CORPORATION State or Country Where DELAWARE Organized:

Assignee

Name: BRIGHT HORIZONS LIMITED PARTNERSHIP

Legal Entity Type: LIMITED PARTNERSHIP State or Country Where MASSACHUSETTS

Organized:

Execution Date: Dec. 08, 2005

Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02472

Correspondent

Correspondent Name: ANTONETTE FERNANDEZ

Correspondent Address: SENIOR COUNSEL

BRIGHT HORIZONS FAMILY SOLUTIONS 200 TALCOTT AVENUE, SOUTH

WATERTOWN, MA 02472

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: <u>3788/0769</u> Pages: 7

Date Recorded: Jun. 04, 2008

Supporting Documents: assignment-tm-3788-0769.pdf

Assignor

Name: BRIGHT HORIZONS LIMITED PARTNERSHIP Execution Date: May 28, 2008

Legal Entity Type: LIMITED PARTNERSHIP State or Country Where MASSACHUSETTS

Organized:

Assignee

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC

Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where DELAWARE

Organized:

Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02471-9177

Correspondent

Correspondent Name: MADELYN D. ZEYLIKMAN C/O ROPES & GRAY

Correspondent Address: ONE INTERNATIONAL PLACE

BOSTON, MA 02110

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: <u>3791/0669</u> Pages: 8

Date Recorded: Jun. 06, 2008

Supporting Documents: assignment-tm-3791-0669.pdf

Assignor

Name: <u>BRIGHT HORIZONS FAMILY SOLUTIONS, LLC</u> **Execution Date:** May 28, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: GENERAL ELECTRIC CAPITAL CORPORATION

Legal Entity Type: CORPORATION State or Country Where No Place Where Organized Found

Organized:

Address: 500 WEST MONROE STREET

CHICAGO, ILLINOIS 60661

Correspondent

Correspondent Name: WEIL, GOTSHAL MANGES C/O PHILIP RATNER

Correspondent Address: 767 5TH AVENUE

NEW YORK, NEW YORK 10153

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: <u>4952/0525</u> Pages: 8

Date Recorded: Jan. 30, 2013

Supporting Documents: assignment-tm-4952-0525.pdf

Assignor

Name: GENERAL ELECTRIC CAPITAL CORPORATION Execution Date: Jan. 30, 2013

Legal Entity Type: CORPORATION State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC

Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where DELAWARE

Organized:

Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02471-9177

Correspondent

Correspondent Name: TRACY COOGAN PLANTS

Correspondent Address: PRUDENTIAL TOWER, 800 BOYLSTON STREET

ROPES & GRAY LLP BOSTON, MA 02199-3600

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: 4953/0134 **Pages:** 9

Date Recorded: Jan. 31, 2013

Supporting Documents: <u>assignment-tm-4953-0134.pdf</u>

Assignor

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC Execution Date: Jan. 30, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: GOLDMAN SACHS BANK USA

Legal Entity Type: BANK State or Country Where NEW YORK

Organized:

Address: 200 WEST STREET

NEW YORK, NEW YORK 10282

Correspondent

Correspondent Name: VINDRA RICHTER C/O WEIL ET AL

Correspondent Address: 767 FIFTH AVE

NEW YORK, NY 10153

Domestic Representative - Not Found

Int. Cls.: 41 and 42

Prior U.S. Cls.: 100, 101 and 107

Reg. No. 2,283,209

United States Patent and Trademark Office

Registered Oct. 5, 1999

SERVICE MARK PRINCIPAL REGISTER

BRIGHT HORIZONS FAMILY SOLUTIONS

BRIGHT HORIZONS CHILDREN'S CENTERS, INC. (DELAWARE CORPORATION) ONE KENDALL SQUARE, BUILDING 200 CAMBRIDGE, MA 02139

FOR: EDUCATIONAL SERVICES, NAMELY, PROVIDING EARLY EDUCATION AND CONDUCTING SEMINARS AND WORKSHOPS IN THE FIELD OF CHILDCARE, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-24-1998; IN COMMERCE 7-24-1998.

FOR: PROVIDING CHILD CARE SERVICES, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-24-1998; IN COMMERCE

FIRST USE 7-24-1998; IN COMMERCE 7-24-1998.

OWNER OF U.S. REG. NO. 1,495,542. NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FAMILY", APART FROM THE MARK AS SHOWN.

SER. NO. 75-538,742, FILED 8-18-1998.

MARK T. MULLEN, EXAMINING ATTORNEY

Int. Cls.: 41 and 42

Prior U.S. Cls.: 100, 101 and 107

Reg. No. 2,283,209

United States Patent and Trademark Office

Registered Oct. 5, 1999

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FOR: PROVIDING CHILD CARE SERVICES, IN CLASS 42 (U.S. CLS. 100 AND 101). FIRST USE 7-24-1998; IN COMMERCE

7-24-1998.

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SER. NO. 75-538,742, FILED 8-18-1998.

MARK T. MULLEN, EXAMINING ATTORNEY

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Mark: BRIGHT HORIZONS FAMILY SOLUTIONS



US Serial Number: 75538649 Application Filing Date: Aug. 18, 1998
US Registration Number: 2308821 Registration Date: Jan. 18, 2000

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Feb. 13, 2009

Publication Date: Oct. 26, 1999

Mark Information

Mark Literal Elements: BRIGHT HORIZONS FAMILY SOLUTIONS

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Disclaimer: "FAMILY"

Design Search Code(s): 01.05.04 - Sun with rays but neither partially exposed nor with facial features

Related Properties Information

Claimed Ownership of US 1495542 Registrations:

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [..] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: EDUCATIONAL SERVICES, NAMELY, CONDUCTING SEMINARS AND WORKSHOPS IN THE FIELD OF CHILD CARE

International Class(es): 041 - Primary Class U.S Class(es): 100, 101, 107

Class Status: ACTIVE Basis: 1(a)

First Use: Jul. 24, 1998 **Use in Commerce:** Jul. 24, 1998

For: Providing childcare services

International Class(es): 042 - Primary Class U.S Class(es): 100, 101

Class Status: ACTIVE Basis: 1(a)

Basis Information (Case Level)

 Filed Use:
 Yes
 Currently Use:
 Yes
 Amended Use:
 No

 Filed ITU:
 No
 Currently ITU:
 No
 Amended ITU:
 No

 Filed 44D:
 No
 Currently 44D:
 No
 Amended 44D:
 No

 Filed 44E:
 No
 Amended 44E:
 No

Filed 66A: No Currently 66A: No Filed No Basis: No Currently No Basis: No

Current Owner(s) Information

Owner Name: Bright Horizons Family Solutions LLC
Owner Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02472

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Aaron Silverstein

Attorney Primary Email <u>trademarks@massiplaw.com</u>

Attorney Email Yes

Address: Authorized:

Correspondent

Correspondent Aaron Silverstein

Name/Address: Saunders & Silverstein LLP 14 Cedar Street, Suite 224

Amesbury, MASSACHUSETTS 01913-1831

UNITED STATES

Correspondent e-mail: trademarks@massiplaw.com

Correspondent e-mail Yes

Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 06, 2013	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 24, 2011	CASE FILE IN TICRS	
Jun. 22, 2011	CASE FILE IN TICRS	
Feb. 13, 2009	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Feb. 13, 2009	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Feb. 13, 2009	ASSIGNED TO PARALEGAL	68973
Jan. 29, 2009	TEAS SECTION 8 & 9 RECEIVED	
Aug. 01, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 18, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Jun. 18, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 11, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 12, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Mar. 04, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 04, 2005	TEAS SECTION 8 & 15 RECEIVED	
Aug. 28, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 18, 2000	REGISTERED-PRINCIPAL REGISTER	
Oct. 26, 1999	PUBLISHED FOR OPPOSITION	
Sep. 24, 1999	NOTICE OF PUBLICATION	
Jul. 20, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 25, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 31, 1998	NON-FINAL ACTION MAILED	
Dec. 29, 1998	ASSIGNED TO EXAMINER	69807

Maintenance Filings or Post Registration Information

Affidavit of Continued Section 8 - Accepted

Use:

Affidavit of Section 15 - Accepted

Incontestability:

Renewal Date: Jan. 18, 2009

TM Staff and Location Information

File Location

Current Location: SCANNING ON DEMAND Date in Location: Jun. 24, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 5 Registrant: Bright Horizons Children's Centers, Inc.

Assignment 1 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: <u>3267/0385</u> Pages: 2

Date Recorded: Dec. 08, 2005

Supporting Documents: assignment-tm-3267-0385.pdf

Assignor

Name: BRIGHT HORIZONS CHILDREN'S CENTERS, Execution Date: Dec. 08, 2005

INC.

Legal Entity Type: CORPORATION State or Country Where DELAWARE

Organized:

Assignee

Name: BRIGHT HORIZONS LIMITED PARTNERSHIP

Legal Entity Type: LIMITED PARTNERSHIP State or Country Where MASSACHUSETTS

Organized:

Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02472

Correspondent

Correspondent Name: ANTONETTE FERNANDEZ

Correspondent Address: SENIOR COUNSEL

BRIGHT HORIZONS FAMILY SOLUTIONS 200 TALCOTT AVENUE, SOUTH WATERTOWN, MA 02472

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: <u>3788/0769</u> **Pages:** 7

Date Recorded: Jun. 04, 2008

Supporting Documents: assignment-tm-3788-0769.pdf

Assignor

Name: BRIGHT HORIZONS LIMITED PARTNERSHIP Execution Date: May 28, 2008

Legal Entity Type: LIMITED PARTNERSHIP State or Country Where MASSACHUSETTS

Organized:

Assignee

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02471-9177

Correspondent

Correspondent Name: MADELYN D. ZEYLIKMAN C/O ROPES & GRAY

Correspondent Address: ONE INTERNATIONAL PLACE

BOSTON, MA 02110

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: <u>3791/0669</u> Pages: 8

Date Recorded: Jun. 06, 2008

Supporting Documents: assignment-tm-3791-0669.pdf

Assignor

Name: BRIGHT HORIZONS FAMILY SOLUTIONS, LLC Execution Date: May 28, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: GENERAL ELECTRIC CAPITAL CORPORATION

Address: 500 WEST MONROE STREET

CHICAGO, ILLINOIS 60661

Correspondent

Correspondent Name: WEIL, GOTSHAL MANGES C/O PHILIP RATNER

Correspondent Address: 767 5TH AVENUE

NEW YORK, NEW YORK 10153

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: 4952/0525 Pages: 8

Date Recorded: Jan. 30, 2013

Supporting Documents: assignment-tm-4952-0525.pdf

Assignor

Name: GENERAL ELECTRIC CAPITAL CORPORATION Execution Date: Jan. 30, 2013

Legal Entity Type: CORPORATION State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Address: 200 TALCOTT AVENUE SOUTH

WATERTOWN, MASSACHUSETTS 02471-9177

Correspondent

Correspondent Name: TRACY COOGAN PLANTS

Correspondent Address: PRUDENTIAL TOWER, 800 BOYLSTON STREET

ROPES & GRAY LLP BOSTON, MA 02199-3600

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: 4953/0134 Pages: 9

Date Recorded: Jan. 31, 2013

Supporting Documents: assignment-tm-4953-0134.pdf

Assignor

Name: BRIGHT HORIZONS FAMILY SOLUTIONS LLC Execution Date: Jan. 30, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where No Place Where Organized Found

Organized:

Assignee

Name: GOLDMAN SACHS BANK USA

Legal Entity Type: BANK State or Country Where NEW YORK

Organized:

Address: 200 WEST STREET

NEW YORK, NEW YORK 10282

Correspondent

Correspondent Name: VINDRA RICHTER C/O WEIL ET AL

Correspondent Address: 767 FIFTH AVE

NEW YORK, NY 10153

Domestic Representative - Not Found

Int. Cls.: 41 and 42

Prior U.S. Cls.: 100, 101 and 107

Reg. No. 2,308,821

United States Patent and Trademark Office

Registered Jan. 18, 2000

SERVICE MARK PRINCIPAL REGISTER



BRIGHT HORIZONS CHILDREN'S CENTERS, INC. (DELAWARE CORPORATION) ONE KENDALL SQUARE, BUILDING 200 CAMBRIDGE, MA 02139

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FIRST USE 7-24-1998; IN COMMERCE 7-24-1998.

FOR: PROVIDING CHILDCARE SERVICES, IN CLASS 42 (U.S. CLS. 100 AND 101). FIRST USE 7-24-1998; IN COMMERCE

7-24-1998.

OWNER OF U.S. REG. NO. 1,495,542. NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FAMILY", APART FROM THE MARK AS SHOWN.

SER. NO. 75-538,649, FILED 8-18-1998.

MARK T. MULLEN, EXAMINING ATTORNEY